

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:19CR168-1
	:	
DANIEL GRANT COWART	:	

GOVERNMENT’S MOTION FOR DEFAULT JUDGMENT AND  
REMISSION OF FORFEITED BOND

NOW COMES the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and pursuant to Rule 46(f) of the Federal Rules of Criminal Procedure, states the following:

1. On May 8, 2019, this Court conducted a change of plea hearing, accepted Defendant Daniel Grant Cowart’s guilty plea, and allowed him “to remain out on bond pending sentencing under the terms and conditions that will be set by [the] United States Magistrate Judge.” (Minute Entry, May 8, 2019.)

2. Also on May 8, 2019, Magistrate Judge Peake ordered Cowart to be released subject to certain conditions, including that he “must not violate federal, state, or local law while on release.” (Dkt. 6 at 1.) Pursuant to an unsecured appearance bond of \$50,000, Cowart agreed to the following: “I

further agree that this bond may be forfeited if I fail . . . to comply with all conditions set forth in the Order Setting Conditions of Release.” (Dkt. 7 at 1.)

3. On October 30, 2019, this Court found that Cowart had violated the conditions of his release and held that his appearance bond was forfeited. (Minute Entry, Oct. 30, 2019).

WHEREFORE, the United States of America prays the following:

1. That the Court declare the bond of Defendant Daniel Grant Cowart in the amount of \$50,000.00 forfeited for breach of a condition of the bond, namely the commission of state and federal offenses while on release, pursuant to Federal Rule of Criminal Procedure 46(f)(1);

2. That the Court enter a default judgment against Daniel Grant Cowart in the amount of \$50,000.00, plus interest from the date of entry of the judgment at the current legal rate until paid, plus costs of the Court, pursuant to Federal Rule of Criminal Procedure 46(f)(3)(A); and

3. That the Court order that the full \$50,000.00, plus interest and costs, be remitted to the United States of America pursuant to Federal Rule of Criminal Procedure 46(f)(4); and

4. For such other and further relief as the Court deems proper.

This the 12<sup>th</sup> day of November, 2019.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2019, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system to notify:

David Lange, Esquire

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